

REMARKS

The final Office Action dated August 24, 2005 has been reviewed and carefully considered. Claims 1-6, 8-11, 13-21, 23-26, 28-36, 38-41 and 47-50 are pending in the application.

On page two of the Office Action, Claims 1-5 and 16-20, 31-35, 46-49 were rejected under 35 U.S.C. 103(a) as being unpatentable over Yacoub (U.S. 6552813) in view of Sonderegger et al (US 5859978).

On page five of the Office Action, Claims 6, 8-11, 21, 23-26, 36, 38-41, and 50 were rejected under § 103(a) over Yacoub and Sonderegger et al. in view of Nagata.

On page seven of the Office Action, Claims 13-15, 28-30, and 43-45 were rejected under § 103(a) over Yacoub, Sonderegger et al. and Nagata in view of Olsen.

Applicants respectfully traverse the rejections.

Applicants invention, as recited in claim 16, requires at least a multiplexer interface that examines job description attributes of a print job to identify the attribute of the print job and identifies an attribute of a the print channel associated with the incoming print job. A multiplexer processor component then processes the incoming print job based upon the job description attribute of the incoming print job and the identification of the attribute of the print channel receiving the print job. Independent claims 16, 31 and 46 include similar language.

Yacoub does not suggest identifying identifies an attribute of the print channel associated with the incoming print job. Rather, Yacoub merely teaches that a user or client uses a command menu or graphical user interface (GUI) menu to select parameters for a print job, e.g., such as speed, quality and either color or black and white. The print job is then spooled to a server, wherein the server decides which printer is available to print the job (step 340) "using the user's preferences selected from the GUI or command menu." The server will have a map of all

available printers along with the status of each printer. The server can also take into account the physical location of the user and find the printer nearest to the user, which complies with the print job preferences of the user. Once the appropriate printer is found, the print job is sent and spooled to that printer (step 350).

Thus, Yacoub does not mention examining attributes of a print channel associated with an incoming print job.

Sonderegger et al. fail to remedy the deficiencies of Yacoub. Sonderegger et al. discloses a method for managing application programs in a computer network using a database of application objects. In particular, Sonderegger et al. disclose a flowchart illustrating an application management routine for modifying a network database schema as shown in Fig. 5. In Fig. 6, Sonderegger et al. disclose a flowchart further illustrating attribute definition and addition steps of the routine shown in FIG. 5. According to Sonderegger et al., the schema modification step 64 includes an attribute definition and addition step 90, which in turn includes separate definition, and addition steps 91 through 120 for new attributes, which are added to the schema 28 according to the present invention. Fig. 6 describes the addition of the new attributes. More specifically, Sonderegger et al. disclose that step 118 defines and adds a "printer ports" attribute having a case ignore string attribute syntax. The printer ports attribute value includes a list of printer ports, which must be captured by the application launcher 50 prior to executing the application 23.

Thus, Sonderegger et al. merely describes capturing printer ports based on a printer ports attribute that is added via an application management routine. The application management routine allows a user to make modifications to the schema 28 that include the addition of at least one class that defines application objects 49 and the addition of attributes which enhance the

visibility and ease of use of those application objects 49. The printer port attribute is merely an attribute that added to the schema 28. The schema 28 is merely a semantic description of the information contained in each instance of an object attribute for the particular application.

Sonderegger et al. therefore fails to suggest identifies an attribute of the print channel associated with the incoming print job. Sonderegger et al. is not even involved with processing on the printer side. Rather, Sonderegger et al. is merely describing adding printer port attributes that provide a list of printer ports that must be captured by the application. The printer port in question is the port at a computer running an application and is not a port at a printer or print server. Moreover, capturing a printer port, as mentioned by Sonderegger et al., merely refers to associating a local printer port with a remote network printer or otherwise configuring a printer port for printing using a particular printer by configuring a printer device driver for that particular printer.

Sonderegger et al. is in no way related to a multiplexor interface that examines job description attributes of a print job to identify the attribute of the print job and identifies an attribute of a the print channel associated with the incoming print job. Moreover, Sonderegger et al. does not even mention print channel attributes, but rather focuses on attributes of a printer port. A print channel is used to print pages of a document and defines the scope of a print job, the job's beginning and end, and how a print job gets organized for use by a printer. In contrast, a printer port is an access point for data entry or exit.

Accordingly, Yacoub and Sonderegger et al. fail to suggest a multiplexer interface that examines job description attributes of a print job to identify the attribute of the print job and identifies an attribute of a the print channel associated with the incoming print job. A multiplexer processor component then processes the incoming print job based upon the job

description attribute of the incoming print job and the identification of the attribute of the print channel receiving the print job.

In addition, Applicants respectfully submit that Yacoub and Sonderegger et al. are not properly combinable. The Office Action states that the motivation to combine such references would have been "to determine what type of print channel is being used (e.g. IPDS or Parallel port) for receiving the incoming print job; by doing so, it enables the print system to process the incoming print job more efficiently." Applicants' invention involves a multiplexor at a printer that, among other recited functions, identifies an attribute of the print channel associated with the incoming print job. While Yacoub is related to a printing system, Sonderegger et al. only involves an application management routine. Sonderegger et al. only mentions adding printer port attributes to an application schema for capturing printer listed in the attributes. Thus, Sonderegger et al. are not involved with functions on the printer side. Accordingly, Applicants respectfully argue that this does not provide the clear and particular evidence required to establish a suggestion, teaching or motivation to combine prior art references. There must be some actual *motivation* to combine Yacoub and Sonderegger et al. found in the references themselves that would suggest the combination. Without a suggestion of the desirability of "the combination," a combination of such references is made in hindsight. It is a requirement that actual evidence of a suggestion, teaching or motivation to combine prior art references be shown, and that this evidence be "clear and particular." *In re Dembiczak*, 50 USPQ2d 1614, Fed. Cir. 1999. Broad conclusory statements regarding the teaching of multiple references, standing alone, are not evidence. *Id.* Similarly, conclusory statements regarding the motivation to modify a reference are also not proper evidence. *Id.* Applicant very respectfully submits that Sonderegger et al. fail to provide any suggestion to be combined with the system as described in Yacoub, and no

“clear and particular” evidence of motivation to combine has been identified by the Office Action. For example, the Office Action has not identified any suggestion found in Yacoub or Sonderegger et al., but rather states the motivation to be general goals of any such design. Therefore, Applicant respectfully submits that the identified combination is not proper, and this further establishes the allowability of independent claims.

Nagata fails to remedy the deficiencies of Yacoub and Sonderegger et al. Nagata is cited merely for the purpose of teaching a print processor having “a spool-processing means to hold the printed output data sent through a network from the host terminal.” Nagata emphasizes aspects of output data and discusses data sent through a network only to the extent that data must be sent through a path to spool processing means. Nagata does not suggest examining job description attributes of a print job being received on a print channel and identifying the attribute of the print job, identifying an attribute of a the print channel associated with the incoming print job and processing the incoming print job based upon the job description attribute of the incoming print job and the identification of the attribute of the print channel receiving the print job. Therefore, Nagata and Yacoub, alone or in combination, fail to disclose, teach or suggest Applicants’ invention as recited in the independent claims.

Olsen too fails to remedy the deficiencies of Yacoub, Sonderegger and Nagata. Olsen is merely cited for the purpose of teaching a “system and method for ensuring secure transfer of a document from a client of a network to a printer.” Olson, like Nagata, Sonderegger et al. and Yacoub, fails to suggest examining job description attributes of a print job being received on a print channel and identifying the attribute of the print job, identifying an attribute of a the print channel associated with the incoming print job and processing the incoming print job based upon the job description attribute of the incoming print job and the identification of the attribute of the

print channel receiving the print job. Therefore, Olsen, Nagata and Yacoub, alone or in combination, fail to disclose, teach or suggest Applicants' invention as recited in the independent claims.

In addition, the alleged motivation for modifying Yacoub with Nagata and Nagata in view of Olsen is conclusory, based on hindsight and therefore, improper. The alleged motivation for both combinations is "it would have been obvious . . . to use the printers efficiently and to reduce printed output time (Nagata, par. 5 of English translation)" This alleged motivation merely states an advantage of Nagata's print processing methods. No clear and particular evidence is provided that would motivate one to modify Yacoub's system. Yacoub's system is presumably adequate for its intended purpose, and no evidence is provided to indicate any deficiencies in Yacoub's system. Thus, the alleged motivation is merely a reconstruction of the claim limitations based on hindsight.

Dependent claims 2-6, 8-11, 13-15, 17-21, 23-26, 28-30, 32-36 38-41, 43-45 and 47-50 are also patentable over the references, because they incorporate all of the limitations of the corresponding independent claims 1, 16, 31 and 46. Further dependent claims 2-6, 8-11, 13-15, 17-21, 23-26, 28-30, 32-36 38-41, 43-45 and 47-50 recite additional novel elements and limitations. Applicants reserve the right to argue independently the patentability of these additional novel aspects. Therefore, Applicants respectfully submit that dependent claims 2-6, 8-11, 13-15, 17-21, 23-26, 28-30, 32-36 38-41, 43-45 and 47-50 are patentable over the cited references.


On the basis of the above amendments and remarks, it is respectfully submitted that the claims are in immediate condition for allowance. Accordingly, reconsideration of this application and its allowance are requested.

Appl. No. 09/550,669
Amdt. Dated: October 24, 2005
Reply to Office Action of August 24, 2005

If a telephone conference would be helpful in resolving any issues concerning this communication, please contact Attorney for Applicant, David W. Lynch, at 423-757-0264.

Respectfully submitted,

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